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RICHARDSON, TX 75083			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,445

Applicant(s)

RHONDA L. CHILDRESS, ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 19 February 2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-37 are subject to examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The present title, architecture for central management, is too broad and is not sufficient for proper classification of the claimed subject matter.

Drawings

3. The figures submitted on 2/19/04 are acknowledged.

Information Disclosure Statement

4. An initialed and dated copy of the applicant's IDS form 1449, paper dated 2/19/2007, is attached to the instant Office action.

Claim Objections

5. Claims 1-37 are objected because the claims contain acronyms (RIM, etc.,) acronym without respective expanded forms.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "appropriate" in claim 7 is a relative term, which renders the claim indefinite.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 25-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a non-statutory subject matter. The claims 25-37 claim computer-usable medium, which as defined in the specification does not fall into any of the statutory categories.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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9. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Goodman et al., 2006/0059253 (Hereinafter Goodman).
10. Referring to claim 1, Goodman discloses a method of managing computing resources in a network (e.g., page 2), said method comprising: providing a logical design, including at least one hub containing central management tools (e.g., page 2); and a plurality of lower tiers containing local management tools (e.g., page 3); placing components according to said design (e.g., page 3); and providing, from said hub, one or more functions chosen from event management, infrastructure monitoring, license management, software distribution, workflow distribution, logging, service level agreement management, provisioning, metering, rating, and reconciliation (e.g., page 4); wherein said plurality of lower tiers includes one or more elements chosen from RIM's, spokes, and POD's (e.g., page 4, figures 1, 14, 15).
11. Referring to claim 2, Goodman discloses the claimed limitations rejected as above. Goodman also discloses providing a first RIM; and providing a first spoke connected to said first RIM (e.g., page 5).
12. Referring to claim 3, Goodman discloses the claimed limitations rejected as above. Goodman also discloses sharing said first RIM among customers; or dedicating said first RIM to one customer (e.g., page 5).
13. Referring to claim 4, Goodman discloses the claimed limitations rejected as above. Goodman also discloses providing a second RIM; in case of a failure in said first RIM,

connecting said first spoke to said second RIM; and employing said second RIM to take over one or more functions of said first RIM (e.g., page 5).

14. Referring to claim 5, Goodman discloses the claimed limitations rejected as above. Goodman also discloses sharing said first spoke among customers; or dedicating said first spoke to one customer (e.g., page 7).

15. Referring to claim 6, Goodman discloses the claimed limitations rejected as above. Goodman also discloses providing a POD; and sharing a POD among customers; or dedicating a POD to one customer (e.g., page 7).

16. Referring to claim 7, Goodman discloses the claimed limitations rejected as above. Goodman also discloses placing a customer in an appropriate POD (e.g., page 7).

17. Referring to claim 8, Goodman discloses the claimed limitations rejected as above. Goodman also discloses allowing continued use of pre-existing management tools (e.g., page 9).

18. Referring to claim 9, Goodman discloses the claimed limitations rejected as above. Goodman also discloses wherein said providing software distribution further comprises: providing a hub master software package library in said hub (e.g., page 9); providing a RIM software repository in said RIM (e.g., page 9); providing a POD software cache in said POD (e.g., page 9); receiving said software in said RIM software repository, from said hub master

software package library (e.g., page 9); and receiving said software in said POD software cache, from said RIM software repository (e.g., page 9).

19. Referring to claim 10, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses providing a spoke software distribution host in said spoke (e.g., page 10).

20. Referring to claim 11, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses in case of a RIM failure, initiating software distribution from said spoke software distribution host (e.g., page 13), and receiving said software in said POD software cache, from said spoke software distribution host (e.g., page 13).

21. Referring to claim 12, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses a system of managing computing resources in a network (e.g., page 2), said system comprising: means for central management, including a hub (e.g., page 2); means for local management, including at least one RIM, at least one spoke, and at least one POD (e.g., page 3); and means for connecting said means for central management, and said means for local management (e.g., page 3).

22. Referring to claim 13, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses means for allowing continued use of pre-existing management tools (e.g., page 9).

23. Referring to claim 14, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for event management (e.g., page 11).

24. Referring to claim 15, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for license management (e.g., page 13).

25. Referring to claim 16, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 15).

26. Referring to claim 17, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 17).

27. Referring to claim 18, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for provisioning (e.g., page 19).

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28. Referring to claim 19, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for local management further comprises 'at least one operating system build server in said POD (e.g., page 20).

29. Referring to claim 20, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 9).

30. Referring to claim 21, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for metering (e.g., page 12).

31. Referring to claim 22, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for software distribution (e.g., page 11).

32. Referring to claim 23, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for software distribution further comprises a hub master software package library in said hub (e.g., page 2); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 2); a POD software cache in said POD (e.g., page 2); means for receiving said software in said RIM software repository

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(e.g., page 3), from said hub master software package library; and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 3).

33. Referring to claim 24, Goodman discloses the claimed limitations rejected as above. Goodman also discloses a spoke software distribution host in said spoke (e.g., page 9).

34. Referring to claim 25, Goodman discloses the claimed limitations rejected as above. Goodman also discloses a computer-usable medium, having computer-executable instructions for managing computing resources in a network (e.g., page 2), said computer-usable medium comprising: means for central management (e.g., page 2), employing a hub; means for local management (e.g., page 2), employing at least one RIM, at least one spoke, and at least one POD (e.g., page 3); and means for connecting said means for central management, and said means for local management (e.g., page 3).

35. Referring to claim 26, Goodman discloses the claimed limitations rejected as above. Goodman also discloses means for allowing continued use of pre-existing management tools (e.g., page 9).

36. Referring to claim 27, Goodman discloses the claimed limitations rejected as above. Goodman also discloses wherein said means for central management further comprises means for event management (e.g., page 11).

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37. Referring to claim 28, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for license management (e.g., page 13)

38. Referring to claim 29, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 15)

39. Referring to claim 30, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 17).

40. Referring to claim 31, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for provisioning (e.g., page 19).

41. Referring to claim 32, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for local management further comprises at least one operating system build server in said POD (e.g., page 20).

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42. Referring to claim 33, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 9).

43. Referring to claim 34, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for metering (e.g., page 12).

44. Referring to claim 35, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for central management further comprises means for software distribution (e.g., page 11).

45. Referring to claim 36, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses wherein said means for software distribution further comprises a hub master software package library in said hub (e.g., page 2); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 2); a POD software cache in said POD (e.g., page 2); means for receiving said software in said RIM software repository, from said hub master software package library (e.g., page 3); and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 3).

46. Referring to claim 37, Goodman discloses the claimed limitations rejected as above.

Goodman also discloses a spoke software distribution host in said spoke (e.g., page 9).

47. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Childress et al., 2004/0205240 (Hereinafter Childress).

48. Referring to claim 1, Childress discloses a method of managing computing resources in a network (e.g., page 2), said method comprising: providing a logical design, including at least one hub containing central management tools (e.g., page 2); and a plurality of lower tiers containing local management tools (e.g., page 3); placing components according to said design (e.g., page 3); and providing, from said hub, one or more functions chosen from event management, infrastructure monitoring, license management, software distribution, workflow distribution, logging, service level agreement management, provisioning, metering, rating, and reconciliation (e.g., page 3); wherein said plurality of lower tiers includes one or more elements chosen from RIM's, spokes, and POD's (e.g., page 3).

49. Referring to claim 2, Childress discloses the claimed limitations rejected as above. Childress also discloses providing a first RIM; and providing a first spoke connected to said first RIM (e.g., page 3).

50. Referring to claim 3, Childress discloses the claimed limitations rejected as above. Childress also discloses sharing said first RIM among customers; or dedicating said first RIM to one customer (e.g., page 2).

51. Referring to claim 4, Childress discloses the claimed limitations rejected as above.

Childress also discloses providing a second RIM; in case of a failure in said first RIM, connecting said first spoke to said second RIM; and employing said second RIM to take over one or more functions of said first RIM (e.g., page 3).

52. Referring to claim 5, Childress discloses the claimed limitations rejected as above.

Childress also discloses sharing said first spoke among customers; or dedicating said first spoke to one customer (e.g., page 2).

53. Referring to claim 6, Childress discloses the claimed limitations rejected as above.

Childress also discloses providing a POD; and sharing a POD among customers; or dedicating a POD to one customer (e.g., page 2).

54. Referring to claim 7, Childress discloses the claimed limitations rejected as above.

Childress also discloses placing a customer in an appropriate POD (e.g., page 2).

55. Referring to claim 8, Childress discloses the claimed limitations rejected as above.

Childress also discloses allowing continued use of pre-existing management tools (e.g., page 3).

56. Referring to claim 9, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said providing software distribution further comprises: providing a hub master software package library in said hub (e.g., page 3); providing a RIM

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software repository in said RIM (e.g., page 3); providing a POD software cache in said POD (e.g., page 3); receiving said software in said RIM software repository, from said hub master software package library (e.g., page 3); and receiving said software in said POD software cache, from said RIM software repository (e.g., page 3).

57. Referring to claim 10, Childress discloses the claimed limitations rejected as above. Childress also discloses providing a spoke software distribution host in said spoke (e.g., page 2).

58. Referring to claim 11, Childress discloses the claimed limitations rejected as above. Childress also discloses in case of a RIM failure, initiating software distribution from said spoke software distribution host (e.g., page 2), and receiving said software in said POD software cache, from said spoke software distribution host (e.g., page 2).

59. Referring to claim 12, Childress discloses the claimed limitations rejected as above. Childress also discloses a system of managing computing resources in a network (e.g., page 2), said system comprising: means for central management, including a hub (e.g., page 2); means for local management, including at least one RIM, at least one spoke, and at least one POD (e.g., page 3); and means for connecting said means for central management, and said means for local management (e.g., page 3).

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60. Referring to claim 13, Childress discloses the claimed limitations rejected as above.

Childress also discloses means for allowing continued use of pre-existing management tools (e.g., page 2).

61. Referring to claim 14, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for event management (e.g., page 2).

62. Referring to claim 15, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for license management (e.g., page 2).

63. Referring to claim 16, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 2).

64. Referring to claim 17, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 3).

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65. Referring to claim 18, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for provisioning (e.g., page 3).

66. Referring to claim 19, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for local management further comprises 'at least one operating system build server in said POD (e.g., page 3).

67. Referring to claim 20, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 2).

68. Referring to claim 21, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for metering (e.g., page 2).

69. Referring to claim 22, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for software distribution (e.g., page 3).

70. Referring to claim 23, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for software distribution further comprises a hub

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master software package library in said hub (e.g., page 2); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 2); a POD software cache in said POD (e.g., page 2); means for receiving said software in said RIM software repository (e.g., page 3), from said hub master software package library; and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 3).

71. Referring to claim 24, Childress discloses the claimed limitations rejected as above. Childress also discloses a spoke software distribution host in said spoke (e.g., page 2).

72. Referring to claim 25, Childress discloses the claimed limitations rejected as above. Childress also discloses a computer-usable medium, having computer-executable instructions for managing computing resources in a network (e.g., page 2), said computer-usable medium comprising: means for central management (e.g., page 2), employing a hub; means for local management (e.g., page 2), employing at least one RIM, at least one spoke, and at least one POD (e.g., page 3); and means for connecting said means for central management, and said means for local management (e.g., page 3).

73. Referring to claim 26, Childress discloses the claimed limitations rejected as above. Childress also discloses means for allowing continued use of pre-existing management tools (e.g., page 2).

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74. Referring to claim 27, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for event management (e.g., page 3).

75. Referring to claim 28, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for license management (e.g., page 3)

76. Referring to claim 29, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 3)

77. Referring to claim 30, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 3).

78. Referring to claim 31, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for provisioning (e.g., page 3).

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79. Referring to claim 32, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for local management further comprises at least one operating system build server in said POD (e.g., page 2).

80. Referring to claim 33, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 3).

81. Referring to claim 34, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for metering (e.g., page 2).

82. Referring to claim 35, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for central management further comprises means for software distribution (e.g., page 3).

83. Referring to claim 36, Childress discloses the claimed limitations rejected as above.

Childress also discloses wherein said means for software distribution further comprises a hub master software package library in said hub (e.g., page 2); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 2); a POD software cache in said POD (e.g., page 2); means for receiving said software in said RIM software repository,

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from said hub master software package library (e.g., page 3); and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 3).

84. Referring to claim 37, Childress discloses the claimed limitations rejected as above. Childress also discloses a spoke software distribution host in said spoke (e.g., page 3).

85. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikurak et al., 2004/0064351 (Hereinafter Goodman).

86. Referring to claim 1, Mikurak discloses a method of managing computing resources in a network (e.g., page 2), said method comprising: providing a logical design, including at least one hub containing central management tools (e.g., page 13); and a plurality of lower tiers containing local management tools (e.g., page 13); placing components according to said design (e.g., page 13); and providing, from said hub, one or more functions chosen from event management, infrastructure monitoring, license management, software distribution, workflow distribution, logging, service level agreement management, provisioning, metering, rating, and reconciliation (e.g., page 14); wherein said plurality of lower tiers includes one or more elements chosen from RIM's, spokes, and POD's (e.g., page 14).

87. Referring to claim 2, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses providing a first RIM; and providing a first spoke connected to said first RIM (e.g., page 15).

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88. Referring to claim 3, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses sharing said first RIM among customers; or dedicating said first RIM to one customer (e.g., page 15).

89. Referring to claim 4, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses providing a second RIM; in case of a failure in said first RIM, connecting said first spoke to said second RIM; and employing said second RIM to take over one or more functions of said first RIM (e.g., page 15).

90. Referring to claim 5, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses sharing said first spoke among customers; or dedicating said first spoke to one customer (e.g., page 21).

91. Referring to claim 6, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses providing a POD; and sharing a POD among customers; or dedicating a POD to one customer (e.g., page 21).

92. Referring to claim 7, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses placing a customer in an appropriate POD (e.g., page 21).

93. Referring to claim 8, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses allowing continued use of pre-existing management tools (e.g., page 15).

94. Referring to claim 9, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said providing software distribution further comprises: providing a hub master software package library in said hub (e.g., page 26); providing a RIM software repository in said RIM (e.g., page 26); providing a POD software cache in said POD (e.g., page 26); receiving said software in said RIM software repository, from said hub master software package library (e.g., page 26); and receiving said software in said POD software cache, from said RIM software repository (e.g., page 26).

95. Referring to claim 10, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses providing a spoke software distribution host in said spoke (e.g., page 15).

96. Referring to claim 11, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses in case of a RIM failure, initiating software distribution from said spoke software distribution host (e.g., page 13), and receiving said software in said POD software cache, from said spoke software distribution host (e.g., page 13).

97. Referring to claim 12, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses a system of managing computing resources in a network (e.g., page 14), said system comprising: means for central management, including a hub (e.g., page 14); means for local management, including at least one RIM, at least one spoke, and at least one POD (e.g.,

page 13); and means for connecting said means for central management, and said means for local management (e.g., page 13).

98. Referring to claim 13, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses means for allowing continued use of pre-existing management tools (e.g., page 15).

99. Referring to claim 14, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses wherein said means for central management further comprises means for event management (e.g., page 13).

100. Referring to claim 15, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses wherein said means for central management further comprises means for license management (e.g., page 13).

101. Referring to claim 16, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 15).

102. Referring to claim 17, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 21).

103. Referring to claim 18, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for provisioning (e.g., page 19).

104. Referring to claim 19, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for local management further comprises 'at least one operating system build server in said POD (e.g., page 22).

105. Referring to claim 20, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 13).

106. Referring to claim 21, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for metering (e.g., page 14).

107. Referring to claim 22, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for software distribution (e.g., page 15).

108. Referring to claim 23, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for software distribution further comprises a hub master software package library in said hub (e.g., page 13); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 13); a POD software cache in said POD (e.g., page 13); means for receiving said software in said RIM software repository (e.g., page 13), from said hub master software package library; and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 13).

109. Referring to claim 24, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses a spoke software distribution host in said spoke (e.g., page 15).

110. Referring to claim 25, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses a computer-usable medium, having computer-executable instructions for managing computing resources in a network (e.g., page 13), said computer-usable medium comprising: means for central management (e.g., page 13), employing a hub; means for local management (e.g., page 13), employing at least one RIM, at least one spoke, and at least one POD (e.g., page 13); and means for connecting said means for central management, and said means for local management (e.g., page 14).

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111. Referring to claim 26, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses means for allowing continued use of pre-existing management tools (e.g., page 15).

112. Referring to claim 27, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for event management (e.g., page 13).

113. Referring to claim 28, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for license management (e.g., page 13)

114. Referring to claim 29, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for workflow distribution (e.g., page 15)

115. Referring to claim 30, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for service level agreement management (e.g., page 21).

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116. Referring to claim 31, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for provisioning (e.g., page 15).

117. Referring to claim 32, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for local management further comprises at least one operating system build server in said POD (e.g., page 21).

118. Referring to claim 33, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for local management further comprises at least one operating system build server in said RIM (e.g., page 22).

119. Referring to claim 34, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for metering (e.g., page 13).

120. Referring to claim 35, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for central management further comprises means for software distribution (e.g., page 13).

121. Referring to claim 36, Mikurak discloses the claimed limitations rejected as above.

Mikurak also discloses wherein said means for software distribution further comprises a hub

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master software package library in said hub (e.g., page 13); and said means for local management further comprises: a RIM software repository in said RIM (e.g., page 13); a POD software cache in said POD (e.g., page 13); means for receiving said software in said RIM software repository, from said hub master software package library (e.g., page 13); and means for receiving said software in said POD software cache, from said RIM software repository (e.g., page 13).

122. Referring to claim 37, Mikurak discloses the claimed limitations rejected as above. Mikurak also discloses a spoke software distribution host in said spoke (e.g., page 15).

Conclusion

Multiple references are used for the rejections to demonstrate that several references disclose the broadly claimed subject matter of the claims.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Haresh Patel *Haresh Patel*

September 17, 2007